



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0226/2  
JTK:kjf:ph

3

Tue 6/4

LFB:.....Runde(DL) – Sale or lease of state properties

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 57, line 24: after “is” insert “renumbered 13.48 (14) (am) 1. and”.
- 3 **2.** Page 58, line 1: after “(am)” insert “1.”.
- 4 **3.** Page 58, line 16: delete the material beginning with “Except” and ending
- 5 with “16.848.” on page 59, line 2.
- 6 **4.** Page 59, line 2: after that line insert:
- 7 “**SECTION 10m.** 13.48 (14) (am) 2. and 3. of the statutes are created to read:
- 8 13.48 (14) (am) 2. If the building commission proposes to sell or lease any
- 9 property identified in subd. 1., the commission shall first notify the joint committee
- 10 on finance in writing of its proposed action. The commission shall not proceed with

1 the proposed action unless the proposed action is approved by the committee.

2 Together with any notification, the commission shall also provide all of the following:

3 a. The estimated value of the property as determined by the department of  
4 administration and by at least one qualified privately owned assessor.

5 b. The full cost of retiring any remaining public debt incurred to finance the  
6 acquisition, construction, or improvement of the property.

7 c. A cost-benefit analysis that considers the short-term and long-term costs  
8 and benefits to the state from selling or leasing the property.

9 d. The length and conditions of any proposed sale or lease between this state  
10 and a proposed purchaser or lessee.

11 e. The estimated budgetary impact of the proposed sale or lease upon affected  
12 state agencies for at least the current and following fiscal biennium.

13 f. Any other information requested by the committee.

14 3. Except with respect to property identified in s. 16.848 (2), if any agency has  
15 authority to sell or lease real property under any other law, the authority of that  
16 agency does not apply after the commission notifies the agency in writing that an  
17 offer of sale or sale, or a lease agreement, is pending with respect to the property  
18 under this subdivision. If the sale or lease is not completed and no further action is  
19 pending with respect to the property, the authority of the agency to sell or lease the  
20 property is restored. If the commission sells or leases any state-owned real property  
21 under this subdivision, the commission may attach such conditions to the sale or  
22 lease as it finds to be necessary or appropriate to carry out the sale or lease in the  
23 best interest of the state. This subdivision does not apply to real property that is  
24 exempted from sale or lease by the department of administration under s. 16.848.”.

- 1           **5.** Page 61, line 1: after “deposit” insert “first”.
- 2           **6.** Page 61, line 2: after “on” insert “outstanding public debt supported by the  
3           same funding source and issued under the same bonding purpose authorization that  
4           was used to finance the acquisition, construction, or improvement of the property  
5           that is sold or leased under par. (am). If any net proceeds remain thereafter, the  
6           commission shall use the proceeds to pay principal and interest costs on”.
- 7           **7.** Page 62, line 23: delete “jurisdiction together with” and substitute  
8           “jurisdiction. Except with respect to the Board of Regents of the University of  
9           Wisconsin System, the inventory shall include”.
- 10          **8.** Page 62, line 24: delete “under” and substitute “underutilized”.
- 11          **9.** Page 62, line 25: delete “utilized”.
- 12          **10.** Page 75, line 13: delete “or property that is operated under contract”.
- 13          **11.** Page 75, line 15: delete “or under contractual operation”.
- 14          **12.** Page 94, line 3: delete “not” and substitute “owned by this state except  
15          those that are”.
- 16          **13.** Page 94, line 4: delete “or by a purchaser, lessee, or contractor” and  
17          substitute “or by a lessee”.
- 18          **14.** Page 94, line 14: delete “, lease, or contractual operation” and  
19          substitute “or lease”.
- 20          **15.** Page 94, line 16: after “is” insert “renumbered 16.848 (1) (a) and”.
- 21          **16.** Page 94, line 17: after “(1)” insert “(a)”.  
22          **17.** Page 94, line 24: after “purchase” insert “or lease”.

1           **18.** Page 95, line 3: after “sale” insert “or lease”.

2           **19.** Page 95, line 7: after “sale” insert “or lease”.

3           **20.** Page 95, line 7: delete “may sell the property” and substitute “may sell the  
4   property shall submit the proposed sale or lease to the joint committee on finance for  
5   approval under par. (b).”.

6           **21.** Page 95, line 7: delete the material beginning with “Except” and ending  
7   with “plant.” on line 19 and substitute:

8           “**SECTION 125m.** 16.848 (1) (b) and (c) of the statutes are created to read:

9           16.848 (1) (b) If the department proposes to sell or lease any property identified  
10   in par. (a), the department shall first notify the joint committee on finance in writing  
11   of its proposed action. The department shall not proceed with the proposed action  
12   unless the proposed action is approved by the committee. Together with any  
13   notification, the department shall also provide all of the following:

14           1. The estimated value of the plant as determined by the department and by  
15   at least one qualified privately owned assessor.

16           2. The full cost of retiring any remaining public debt incurred to finance the  
17   acquisition, construction, or improvement of the property.

18           3. A cost–benefit analysis that considers the short–term and long–term costs  
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20           4. The length and conditions of any proposed sale or lease between this state  
21   and a proposed purchaser or lessee.

22           5. The estimated budgetary impact of the proposed sale or lease upon affected  
23   state agencies for at least the current and following fiscal biennium.

24           6. Any other information requested by the committee.

1           (c) Except with respect to property identified in sub. (2), if any agency, as  
2           defined in s. 16.52 (7), has authority to sell or lease real property under any other law,  
3           the authority of that agency does not apply after the department notifies the agency  
4           in writing that an offer of sale or sale, or a lease agreement, is pending with respect  
5           to the property under this paragraph. If the sale or lease is not completed and no  
6           further action is pending with respect to the property, the authority of the agency to  
7           sell or lease the property is restored. If the department sells or leases any  
8           state-owned real property under this paragraph, the department may attach such  
9           conditions to the sale or lease as it finds to be necessary or appropriate to carry out  
10          the sale or lease in the best interest of the state. If the department sells or leases a  
11          state-owned heating, cooling, or power plant under this paragraph, the department  
12          may contract with the purchaser or lessee to purchase the output of the plant.”.

13           **22.** Page 95, line 21: delete the material beginning with “, leases” and ending  
14          with “of” on line 22 and substitute “or leases”.

15           **23.** Page 95, line 23: delete “, lease, or contract,” and substitute “or lease,”.

16           **24.** Page 96, line 1: delete the material beginning with “, leases” and ending  
17          with “of” on line 2 and substitute “or leases”.

18           **25.** Page 96, line 12: delete the material beginning with “, leases” and ending  
19          with “of” on line 13 and substitute “or leases”.

20           **26.** Page 96, line 14: delete the material beginning with “, lease” and ending  
21          with “contract,” on line 15 and substitute “or lease”.

22           **27.** Page 96, line 18: delete “or operated under contract”.

1           **28.** Page 96, line 20: delete “agency. The” and substitute “agency. Subject to  
2 approval under par. (d), the”.

3           **29.** Page 96, line 24: delete “If” and substitute “Subject to approval under par.  
4 (d), if”.

5           **30.** Page 96, line 24: delete the material beginning with “, leases” and ending  
6 with “of” on line 25 and substitute “or leases”.

7           **31.** Page 97, line 4: delete the material beginning with “, lease” and ending  
8 with “contract” on line 5 and substitute “or lease”.

9           **32.** Page 97, line 6: after “to (c)” insert “and subject to approval under par. (d)”.

10          **33.** Page 97, line 12: delete “or operated under contract”.

11          **34.** Page 97, line 13: delete “, lease, or contract” and substitute “or lease”.

12          **35.** Page 97, line 14: delete lines 14 to 15 and substitute:

13          “(d) Prior to taking any action to reallocate authorized expenditures, decrease  
14 authorized positions, or lapse or transfer moneys under par. (b) or (c), the secretary  
15 shall submit the proposed action in writing to the joint committee on finance. The  
16 secretary shall not proceed with the proposed action unless the proposed action is  
17 approved by the committee.”.

18          **36.** Page 97, line 16: after that line insert:

19          “**SECTION 129m.** 16.848 (2) (am) of the statutes is created to read:

20          16.848 (2) (am) Subsection (1) does not apply to any property for which the cost  
21 of acquisition, construction, and improvement was financed with at least 50 percent  
22 federal funds or at least 50 percent gift or grant funds.”.

23          **37.** Page 98, line 13: after “shall” insert “first”.

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1           **38.** Page 98, line 14: after “on” insert “outstanding public debt supported by  
2           the same funding source and issued under the same bonding purpose authorization  
3           that was used to finance the acquisition, construction, or improvement of the  
4           property that is sold or leased under sub. (1). If any net proceeds remain thereafter,  
5           the department shall use the proceeds to pay principal and interest costs on”.

6 **39.** Page 404, line 12: delete lines 12 to 17.

**(END)**

7/25/22

secretary shall not proceed with the proposed action unless the proposed action is approved by the committee.”.

**38.** Page 97, line 16: after that line insert:

“**SECTION 129m.** 16.848 (2) (am) of the statutes is created to read:

16.848 (2) (am) Subsection (1) does not apply to any property at least 50 percent of the cost of acquisition, construction, and improvement of which was financed with federal funds, gifts, or grants, or any combination thereof.”.

**39.** Page 97, line 18: after that line insert:

“**SECTION 131m.** 16.848 (2) (gx) of the statutes is created to read:

16.848 (2) (gx) Subsection (1) does not apply to any property that is owned or leased by the investment board and that is sold or leased under s. 25.17 (8).”.

**40.** Page 98, line 13: after “shall” insert “first”.

**41.** Page 98, line 14: after “on” insert “outstanding public debt supported by the same funding source and issued under the same bonding purpose authorization that was used to finance the acquisition, construction, or improvement of the property that is sold or leased under sub. (1), and if any net proceeds remain thereafter, to pay principal and interest costs on”.

**42.** Page 99, line 23: after “shall” insert “first”.

**43.** Page 99, line 24: after “on” insert “outstanding revenue obligations supported by the same funding source and issued under the same bonding purpose authorization that was used to finance the acquisition, construction, or improvement of the property that is sold or leased under sub. (1), and if any net proceeds remain thereafter, to pay principal and interest costs on”.





State of Wisconsin  
2013 – 2014 LEGISLATURE



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**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 40**

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changes  
only p. 7

- 1 At the locations indicated, amend the bill as follows:
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- 4 **3.** Page 58, line 16: delete the material beginning with “Except” and ending
- 5 with “16.848.” on page 59, line 2.
- 6 **4.** Page 59, line 2: after that line insert:
- 7 “**SECTION 10m.** 13.48 (14) (am) 2. and 3. of the statutes are created to read:
- 8 13.48 (14) (am) 2. If the building commission proposes to sell or lease any
- 9 property identified in subd. 1., the commission shall first notify the joint committee
- 10 on finance in writing of its proposed action. The commission shall not proceed with

1 the proposed action unless the proposed action is approved by the committee.

2 Together with any notification, the commission shall also provide all of the following:

3 a. The estimated value of the property as determined by the department of  
4 administration and by at least one qualified privately owned assessor.

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6 acquisition, construction, or improvement of the property.

7 c. A cost–benefit analysis that considers the short–term and long–term costs  
8 and benefits to the state from selling or leasing the property.

9 d. The length and conditions of any proposed sale or lease between this state  
10 and a proposed purchaser or lessee.

11 e. The estimated budgetary impact of the proposed sale or lease upon affected  
12 state agencies for at least the current and following fiscal biennium.

13 f. Any other information requested by the committee.

14 3. Except with respect to property identified in s. 16.848 (2), if any agency has  
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17 offer of sale or sale, or a lease agreement, is pending with respect to the property  
18 under this subdivision. If the sale or lease is not completed and no further action is  
19 pending with respect to the property, the authority of the agency to sell or lease the  
20 property is restored. If the commission sells or leases any state–owned real property  
21 under this subdivision, the commission may attach such conditions to the sale or  
22 lease as it finds to be necessary or appropriate to carry out the sale or lease in the  
23 best interest of the state. This subdivision does not apply to real property that is  
24 exempted from sale or lease by the department of administration under s. 16.848.”.

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8           “**SECTION 125m.** 16.848 (1) (b) and (c) of the statutes are created to read:

9           16.848 (1) (b) If the department proposes to sell or lease any property identified  
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19 and benefits to the state from selling or leasing the property.

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4 **38.** Page 98, line 13: after “shall” insert “first”.

5 **39.** Page 98, line 14: after “on” insert “outstanding public debt supported by”

6 the same funding source and issued under the same bonding purpose authorization

7 that was used to finance the acquisition, construction, or improvement of the

8 property that is sold or leased under sub. (1). If any net proceeds remain thereafter,

9 the department shall use the proceeds to pay principal and interest costs on”.

10           **40.** Page 404, line 12: delete lines 12 to 17.

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2013 – 2014 LEGISLATURE



LRBb0226/4

JTK:kjf:ph

Stays

LFB:.....Runde(DL) – Sale or lease of state properties

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18           3. A cost-benefit analysis that considers the short-term and long-term costs  
19 and benefits to the state from selling or leasing the property.

20           4. The length and conditions of any proposed sale or lease between this state  
21 and a proposed purchaser or lessee.

22           5. The estimated budgetary impact of the proposed sale or lease upon affected  
23 state agencies for at least the current and following fiscal biennium.

24           6. Any other information requested by the committee.

(c) Except with respect to property identified in sub. (2), if any agency, as defined in s. 16.52 (7), has authority to sell or lease real property under any other law, the authority of that agency does not apply after the department notifies the agency in writing that an offer of sale or sale, or a lease agreement, is pending with respect to the property under this paragraph. If the sale or lease is not completed and no further action is pending with respect to the property, the authority of the agency to sell or lease the property is restored. If the department sells or leases any state-owned real property under this paragraph, the department may attach such conditions to the sale or lease as it finds to be necessary or appropriate to carry out the sale or lease in the best interest of the state. If the department sells or leases a state-owned heating, cooling, or power plant under this paragraph, the department may contract with the purchaser or lessee to purchase the output of the plant.”.

**22.** Page 95, line 21: delete the material beginning with “, leases” and ending with “of” on line 22 and substitute “or leases”.

**23.** Page 95, line 23: delete “, lease, or contract,” and substitute “or lease,”.

**24.** Page 96, line 1: delete the material beginning with “, leases” and ending with “of” on line 2 and substitute “or leases”.

**25.** Page 96, line 12: delete the material beginning with “, leases” and ending with “of” on line 13 and substitute “or leases”.

**26.** Page 96, line 14: delete the material beginning with “, lease” and ending with “contract,” on line 15 and substitute “or lease”.

**27.** Page 96, line 18: delete “or operated under contract”.

1           **28.** Page 96, line 20: delete “agency. The” and substitute “agency. Subject to  
2 approval under par. (d), the”.

3           **29.** Page 96, line 24: delete “If” and substitute “Subject to approval under par.  
4 (d), if”.

5           **30.** Page 96, line 24: delete the material beginning with “, leases” and ending  
6 with “of” on line 25 and substitute “or leases”.

7           **31.** Page 97, line 4: delete the material beginning with “, lease” and ending  
8 with “contract” on line 5 and substitute “or lease”.

9           **32.** Page 97, line 6: after “to (c)” insert “and subject to approval under par. (d)”.

10          **33.** Page 97, line 12: delete “or operated under contract”.

11          **34.** Page 97, line 13: delete “, lease, or contract” and substitute “or lease”.

12          **35.** Page 97, line 14: delete lines 14 to 15 and substitute:

13           “(d) Prior to taking any action to reallocate authorized expenditures, decrease  
14 authorized positions, or lapse or transfer moneys under par. (b) or (c), the secretary  
15 shall submit the proposed action in writing to the joint committee on finance. The  
16 secretary shall not proceed with the proposed action unless the proposed action is  
17 approved by the committee.”.

18          **36.** Page 97, line 16: after that line insert:

19           “**SECTION 129m.** 16.848 (2) (am) of the statutes is created to read:

20           16.848 (2) (am) Subsection (1) does not apply to any property for which the cost  
21 of acquisition, construction, and improvement was financed with at least 50 percent  
22 federal funds or at least 50 percent gift or grant funds.”.

23          **37.** Page 97, line 18: after that line insert:

**“SECTION 131m.** 16.848 (2) (gx) of the statutes is created to read:

16.848 **(2)** (gx) Subsection (1) does not apply to any property that is owned or leased by the investment board.”.

**38.** Page 98, line 13: after “shall” insert “first”.

**39.** Page 98, line 14: after “on” insert “outstanding public debt supported by the same funding source and issued under the same bonding purpose authorization that was used to finance the acquisition, construction, or improvement of the property that is sold or leased under sub. (1). If any net proceeds remain thereafter, the department shall use the proceeds to pay principal and interest costs on”.

**40.** Page 404, line 12: delete lines 12 to 17.

**(END)**



State of Wisconsin  
2013 – 2014 LEGISLATURE



LRBb0226/5  
JTK:kjf:jm

LFB:.....Runde(DL) – Sale or lease of state properties

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 57, line 24: after “is” insert “renumbered 13.48 (14) (am) 1. and”.

3 **2.** Page 58, line 1: after “(am)” insert “1.”.

4 **3.** Page 58, line 16: delete the material beginning with “Except” and ending  
5 with “16.848.” on page 59, line 2.

6 **4.** Page 59, line 2: after that line insert:

7 “**SECTION 10m.** 13.48 (14) (am) 2. and 3. of the statutes are created to read:

8 13.48 (14) (am) 2. If the building commission proposes to sell or lease any  
9 property identified in subd. 1., the commission shall first notify the joint committee  
10 on finance in writing of its proposed action. The commission shall not proceed with

1 the proposed action unless the proposed action is approved by the committee.

2 Together with any notification, the commission shall also provide all of the following:

3 a. The estimated value of the property as determined by the department of  
4 administration and by at least one qualified privately owned assessor.

5 b. The full cost of retiring any remaining public debt incurred to finance the  
6 acquisition, construction, or improvement of the property.

7 c. A cost–benefit analysis that considers the short–term and long–term costs  
8 and benefits to the state from selling or leasing the property.

9 d. The length and conditions of any proposed sale or lease between this state  
10 and a proposed purchaser or lessee.

11 e. The estimated budgetary impact of the proposed sale or lease upon affected  
12 state agencies for at least the current and following fiscal biennium.

13 f. Any other information requested by the committee.

14 3. Except with respect to property identified in s. 16.848 (2), if any agency has  
15 authority to sell or lease real property under any other law, the authority of that  
16 agency does not apply after the commission notifies the agency in writing that an  
17 offer of sale or sale, or a lease agreement, is pending with respect to the property  
18 under this subdivision. If the sale or lease is not completed and no further action is  
19 pending with respect to the property, the authority of the agency to sell or lease the  
20 property is restored. If the commission sells or leases any state–owned real property  
21 under this subdivision, the commission may attach such conditions to the sale or  
22 lease as it finds to be necessary or appropriate to carry out the sale or lease in the  
23 best interest of the state. This subdivision does not apply to real property that is  
24 exempted from sale or lease by the department of administration under s. 16.848.”.



- 1           **5.** Page 61, line 1: after “deposit” insert “first”.
- 2           **6.** Page 61, line 2: after “on” insert “outstanding public debt supported by the  
3 same funding source and issued under the same bonding purpose authorization that  
4 was used to finance the acquisition, construction, or improvement of the property  
5 that is sold or leased under par. (am). If any net proceeds remain thereafter, the  
6 commission shall use the proceeds to pay principal and interest costs on”.
- 7           **7.** Page 62, line 23: delete “jurisdiction together with” and substitute  
8 “jurisdiction. Except with respect to the Board of Regents of the University of  
9 Wisconsin System, the inventory shall include”.
- 10          **8.** Page 62, line 24: delete “under” and substitute “underutilized”.
- 11          **9.** Page 62, line 25: delete “utilized”.
- 12          **10.** Page 75, line 13: delete “or property that is operated under contract”.
- 13          **11.** Page 75, line 15: delete “or under contractual operation”.
- 14          **12.** Page 94, line 3: delete “not” and substitute “owned by this state except  
15 those that are”.
- 16          **13.** Page 94, line 4: delete “or by a purchaser, lessee, or contractor” and  
17 substitute “or by a lessee”.
- 18          **14.** Page 94, line 14: delete “, lease, or contractual operation” and  
19 substitute “or lease”.
- 20          **15.** Page 94, line 16: after “is” insert “renumbered 16.848 (1) (a) and”.
- 21          **16.** Page 94, line 17: after “(1)” insert “(a)”.
- 22          **17.** Page 94, line 24: after “purchase” insert “or lease”.

1       **18.** Page 95, line 3: after “sale” insert “or lease”.

2       **19.** Page 95, line 7: after “sale” insert “or lease”.

3       **20.** Page 95, line 7: delete “may sell the property” and substitute “~~may sell the~~  
4 property shall submit the proposed sale or lease to the joint committee on finance for  
5 approval under par. (b).”.

6       **21.** Page 95, line 7: delete the material beginning with “Except” and ending  
7 with “plant.” on line 19 and substitute:

8       “**SECTION 125m.** 16.848 (1) (b) and (c) of the statutes are created to read:

9       16.848 (1) (b) If the department proposes to sell or lease any property identified  
10 in par. (a), the department shall first notify the joint committee on finance in writing  
11 of its proposed action. The department shall not proceed with the proposed action  
12 unless the proposed action is approved by the committee. Together with any  
13 notification, the department shall also provide all of the following:

14       1. The estimated value of the property as determined by the department and  
15 by at least one qualified privately owned assessor.

16       2. The full cost of retiring any remaining public debt incurred to finance the  
17 acquisition, construction, or improvement of the property.

18       3. A cost–benefit analysis that considers the short–term and long–term costs  
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